

Green, LindaE

From: USARMY Redstone Arsenal USAMC Mailbox FOIA
<usarmy.redstone.usamc.mbx.foia@mail.mil>
Sent: Tuesday, February 10, 2015 12:27 PM
To: Green, LindaE
Subject: FOIA Request FA-15-0015/Chiyoda Land Cleanup
Attachments: FA_15_0015_Bartram_Referral_Memo.pdf; FA_15_0015_Bartram_Referral_ASC.pdf

Linda,

Attachments per your request.

Very Respectfully,

Gregory D. Turner
HQ AMC G6, Freedom of Information Act and Privacy Act Request Officer (FOIA/PA)
4400 Martin Road, Redstone Arsenal, Al 35898
Phone: 256-450-7061, DSN: 320-7061, Fax: 256-450-8812

FOIA Email: usarmy.redstone.usamc.mbx.foia@mail.mil
NIPR Email: Gregory.d.turner12.civ@mail.mil
SIPR Email: Gregory.d.turner12.civ@mail.smil.mil



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
HEADQUARTERS, U.S. ARMY MATERIEL COMMAND
4400 MARTIN ROAD
REDSTONE ARSENAL, AL 35898-5000

AMCIO-IA-R

January 22, 2015

Henke Bartram Business Law PLLC,
ATTN: Dirk Bartram
1001 Fourth Avenue, Suite 3200
Seattle, WA 98154

SUBJECT: FOIA Request (FOIA Reference Number: FP-15-008379/ FA-15-0015)

Dear Mr. Bartram:

This letter formally responds to your Freedom of Information Act (FOIA) request received by this office on the 20 January 2105. You have requested information pertaining to an agreement between Chiyoda International Corporation or Chiyoda Chemical Engineering and Construction Co., Ltd (collectively "Chiyoda") and the US Army Material Command ("AMC") or any other U.S. Army, Department of Defense or federal agency, organization, command or unit (collectively, a "Federal/Military Organization"), dated on or about 11 February 1976, concerning or related to the use of real property on the Lower Duwamish Waterway ("LDW") at or near 4525 Diagonal Avenue South, Seattle, Washington or 4615 Diagonal Avenue South (collectively, "Terminal 108"), for the purpose of cleaning up LDW bottom sediments contaminated by polychlorinated biphenyls (PCBs) spilled at Slip 1 of the LDW in 1974 (the "PCB Cleanup"). You also have requested document pertaining to other agreement between Chiyoda and AMC or any other Federal/Military Organization dated anytime during the years 1974 through 1984, and related to the PCB Cleanup or Terminal 108. Your request is being processed in accordance with (IAW) Title 5 United States Code 552, The Army Freedom Information Program.

Please be advised that this office serves as the policy and oversight office for the AMC FOIA and Privacy Acts entities, and is not a repository for documents for the Department of Defense, the Department of the Army, or any other federal agency, organization, command or unit (collectively, a "Federal/Military Organization"). Requests for information and documents that is outside the purview of AMC are sent to the federal agency most likely to have responsive records for review IAW Army Regulation 25-55, The Army Freedom Information Program.

The HQ AMC FOIA office Google research results indicate that the U.S. Army Corps of Engineers (USACE) was responsible for the PCB cleanup for Terminal 108 in 1976 and that the U.S. Environmental Protection Agency (EPA) had oversight responsibility for the PCB Terminal 108 cleanup project. HQ AMC is not the owner of the requested

records; therefore, I'm referring your request to the USACE and the EPA FOIA Offices. The USACE and EPA FOIA offices contact information is:

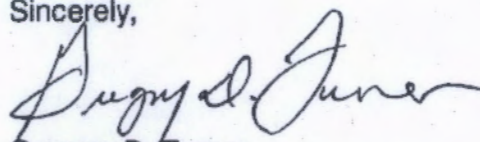
U.S. Army Corps of Engineers
ATTN: FOIA Officer
Walla Walla District Office of Counsel
201 North Third Avenue
Walla Walla, Washington 99362
E-mail: FOIA-NWW@usace.army.mil;
FOIA Website: <http://www.usace.army.mil/FOIA.aspx>
Fax: 509-527-7819

National Freedom of Information Officer
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW (2822T)
Washington, DC 20460
(202) 566-1667, EPA FOIA Website: <http://www2.epa.gov/foia>

Upon receipt of your request, the USACE and EPA FOIA Offices will advise you how they will process your request. Additionally, they may refer your request to the appropriate subcomponent to review, make a release determination, and provide a formal response to you.

The FOIA reference number assigned to your FOIA request is: FP-15-008379/ FA-15-0015. Please reference this number when corresponding with this office. Thank you for your time. If you need further assistance from this office, please call or e-mail me at Gregory.d.turner12.civ@mail.mil or call me at (256) 450-7061.

Sincerely,

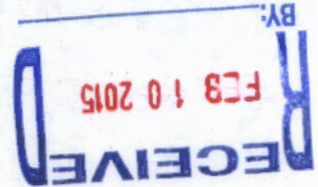


Gregory D. Turner
Freedom of Information Act Officer, HQAMC



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
HEADQUARTERS, U.S. ARMY MATERIEL COMMAND
4400 MARTIN ROAD
REDSTONE ARSENAL, AL 35898-5000



AMCIO-IAR

January 22, 2015

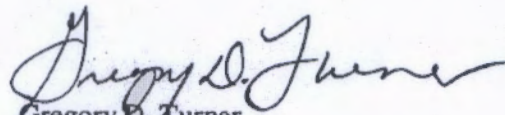
MEMORANDUM FOR US Army Corps of Engineers, ATTN: FOIA Officer, Walla-Walla
District Office of Counsel, 201 North Third Avenue, Walla-Walla, Washington 99362

MEMORANDUM FOR U.S. Environmental Protection Agency, ATTN: National Freedom of
Information Officer, 1200 Pennsylvania Avenue, NW (2822T), Washington, DC 20460

SUBJECT: Freedom of Information Act (FOIA) Request – Mr. Dirk Bartram, Henke Bartram
Business Law Firm, FOIA Tracking Numbers, FP-15-008379/FA-15-0015.

1. The enclosed FOIA request is forwarded to your office for action. Mr. Dirk Bartram, from the Henke Bartram Business Law Firm, have requested information pertaining to the cleaning up of the Lower Duwamish Waterway (LDW) bottom sediments contaminated by polychlorinated biphenyls (PCBs) spilled at Slip 1 of the LDW in 1974 (the "PCB Cleanup" and requesting documents pertaining to other agreement between Chiyoda any Federal/Military Organization dated anytime during the years 1974 through 1984, and related to the PCB Cleanup or Terminal 108,
2. Mr. Dirk Bartram has been notified of this referral.
3. For questions concerning this FOIA referral, please contact Gregory D. Turner at DSN 320-7061, commercial 256-450-7061 or at gregory.d.turner12.civ@mail.mil.

Encl(s)


Gregory D. Turner
HQ, AMC FOIA Officer

FOIA CONTROL # FP-15-008379

FOIA
Collins, Curtis L Jr CIV (US) ACTIVITY CONTROL # FA-15-0015

From: Dirk Bartram [DBartram@henkebartram.com]
Sent: Tuesday, January 20, 2015 3:03 PM
To: USARMY Redstone Arsenal USAMC Mailbox FOIA
Subject: FREEDOM OF INFORMATION ACT REQUEST (FOIA)

This is a request under the Freedom of Information Act (5 U.S.C. § 552).

I request that a copy of the following documents be provided me:

1. An agreement between Chiyoda International Corporation or Chiyoda Chemical Engineering and Construction Co., Ltd (collectively "Chiyoda") and the US Army Material Command ("AMC") or any other U.S. Army, Department of Defense or federal agency, organization, command or unit (collectively, a "Federal/Military Organization"), dated on or about 11 February 1976, concerning or related to the use of real property on the Lower Duwamish Waterway ("LDW") at or near 4525 Diagonal Avenue South, Seattle, Washington or 4615 Diagonal Avenue South (collectively, "Terminal 108"), for the purpose of cleaning up LDW bottom sediments contaminated by polychlorinated biphenyls (PCBs) spilled at Slip 1 of the LDW in 1974 (the "PCB Cleanup").
2. Any other agreement between Chiyoda and AMC or any other Federal/Military Organization dated anytime during the years 1974 through 1984, and related to the PCB Cleanup or Terminal 108.
3. All documents concerning any agreement described above.

To help you determine my status for the purpose of assessing fees, I am an attorney seeking information in connection with a legal matter.

I am willing to pay fees for this request up to a maximum of \$500. If you estimate the fees will exceed this limit, please inform me first.

My contact information appears below.

Very truly yours,

Dirk Bartram

Henke Bartram PLLC

1001 Fourth Avenue, Suite 3200

Seattle, WA 98154

206 624 4788

HENKEBARTRAM PLLC

Business Lawyers ô Seize opportunity

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